

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

HALIFAX CORPORATION,	)	
	)	
Plaintiff,	)	
v.	)	CIVIL ACTION NO. 03-578-A
	)	
WACHOVIA BANK, N.A.,	)	
	)	
Defendant.	)	

**ORDER**

THIS MATTER is before the Court on Defendant Wachovia Bank's Motion to Dismiss. The issue before the Court is whether the Court has subject matter jurisdiction to hear this case.

Plaintiff alleges that it is a citizen of Virginia and that Defendant is a national banking association with its principle place of business in North Carolina. Defendant also has branch offices in Virginia. Plaintiff alleged diversity jurisdiction under 28 U.S.C. § 1332.

In *Wachovia Bank v. Schmidt*, 388 F.3d 414 (4th Cir. 2004), the Fourth Circuit held that national banks are citizens of every state in which they operate branch offices. *Id.* Because Wachovia has branch offices in Virginia, and Plaintiff is a citizen of Virginia, the Court does not have diversity jurisdiction under 28 U.S.C. § 1332.

For the foregoing reasons it is hereby

ORDERED that Defendant's Motion to Dismiss is GRANTED.

The Clerk is directed to forward a copy of this Order to  
counsel of record.

ENTERED this 21st day of July, 2005.

/s/  
Gerald Bruce Lee  
United States District Judge

Alexandria, Virginia  
7/21/05